

ELMORE  
Serial No. 08/981,087

E<sup>4</sup>  
cont

1135 of said *C. botulinum* neurotoxin (SEQ ID NO:3), or the contiguous amino acid sequence of amino acids 1136-1278 of said *C. botulinum* neurotoxin (SEQ ID NO:4).

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**REMARKS**

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Reconsideration is requested.

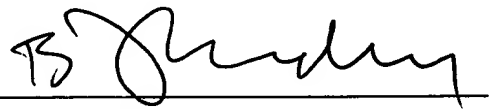
The claims have been amended to include sequence identifiers, as disclosed at page 5 of the present application. A copy of the Notice to Comply attached to the Office Action of February 27, 2001, is attached. The applicants respectfully submit the Sequence Listing is in compliance with the applicable Rules and that compliance with the Notice to Comply required amendment of the claims. The Examiner is invited to contact the undersigned if anything further is required however.

A substantive response to the applicant's Supplemental Amendment of June 19, 2000 and amendment of June 16, 2000, are requested.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_



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**MARKED UP CLAIMS**

5. (Thrice Amended) An isolated polypeptide according to Claim 3 wherein said fragment is selected from the group consisting of:

- (a) amino acids 848-1278 of a type F botulinum toxin (SEQ ID NO:1),
- (b) amino acids 848-991 of a type F botulinum toxin (SEQ ID NO:2),
- (c) amino acids 992-1135 of a type F botulinum toxin (SEQ ID NO:3), and
- (d) amino acids 1136-1278 of a type F botulinum toxin (SEQ ID NO:4).

6. (Thrice Amended) An isolated polypeptide according to Claim 3 wherein said derivative comprises a dimer of the fragment selected from the group consisting of:

- (a) amino acids 848-1278 of a type F botulinum toxin (SEQ ID NO:1),
- (b) amino acids 848-991 of a type F botulinum toxin (SEQ ID NO:2),
- (c) amino acids 992-1135 of a type F botulinum toxin (SEQ ID NO:3), and
- (d) amino acids 1136-1278 of a type F botulinum toxin (SEQ ID NO:4).

11. (Amended) A polypeptide according to Claim 8 comprising a fusion protein of: -

- (a) amino acids 848 to 1278 of a type F botulinum neurotoxin (SEQ ID NO:1),
- with
- (b) a purification moiety.

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28. (Amended) The fusion protein of claim 27 wherein said *C. botulinum* amino acid sequence consists of the contiguous amino acid sequence of amino acids 848 to 1278 of said *C. botulinum* neurotoxin (SEQ ID NO:1).

30. (Amended) The fusion protein of claim 27 wherein said *C. botulinum* neurotoxin amino acid sequence comprises at least one amino acid sequence selected from the contiguous amino acid sequence of amino acids 848-991 of said *C. botulinum* neurotoxin (SEQ ID NO:2), the contiguous amino acid sequence of amino acids 992-1135 of said *C. botulinum* neurotoxin (SEQ ID NO:3), or the contiguous amino acid sequence of amino acids 1136-1278 of said *C. botulinum* neurotoxin (SEQ ID NO:4).